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TO: Ms. Tracy Woods

LARW@B

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DATE: April 10, 2009

NO. OF PAGES: 9 (includes cover sheet)

RE: MUNICIPAL STORM WATER AND URBAN RUNOFF

DISCHARGES WITHIN VENTURA COUNTY WATERSHED

PROTECTION DISTRICT, COUNTY OF VENTURA, AND THE
CITIES OF VENTURA COUNTY NPDES PERMIT
(CA5004002).

3152 Shad Court
Simi Valley, CA 93063
April 10, 2009

Ms. Tracy Woods
LARWQCB
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Re: MUNICIPAL STORM WATER AND URBAN RUNOFF DISCHARGES
WITHIN ENTURA COUNTY FLOOD CONTROL DISTRICT, COUNTY
OF VENTURA, AND THE CITIES OF VENTURA COUNTY NPDES
PERMIT (CAS004002).*

Dear Ms. Woods:

This letter is a follow-up to my April 8, 2009, and
April 9, 2009 letters.

TENTATIVE ORDER 09-XXXX(Continued)

- #13 - Page 89 of 121, under Section (c)(3), give the date instead of stating "to be completed based on the schedule provided in the workplan, submitted in March, 2007".
- #14 - Page 91 of 121, under Section (c)(8), give the date instead of stating "Special Study is to be completed within one year of the approval of the workplan".
- #15 - Page 91 of 121, under Section (c)(9), give the date instead of stating "This special study is to be completed within 2 years of the approval of the workplan".
- #16 - Page 92 of 121, under Section 5.(1), "(1)" is located incorrectly.
- #17 - Under PART 8 - STANDARD PROVISIONS, include a "Section" that states to the effect of "Duty to be Honest" in order to keep local governments from conspiring, committing or continuing fraudulent activities, and stop the culture of

generating public fear to raise taxpayers fees at the voting booth.

- #18 - Page 118 of 121, Section P. Enforcement, it is stated on Page 6-4 of the March 2, 2009 Ventura County Watershed Protection District Ventura Countywide Stormwater Quality Management Program NPDES Permit Annual Report that "There were 294 total enforcement actions countywide this year, overall that is significantly less than in previous years, but the use of notices of violation has increased as percentage of enforcement actions from 7% to 40%" (Figure 6-3 paragraph, last sentence). It is stated on Page 8-13, under the Figure 8-8 "*" "Note" that "Due to the wide range of number of discharges across the different Co-permittees it was necessary to present this on a logarithmic scale. This does not allow accurate representation of values of one or zero" (March 3, 2009 Ventura Countywide Stormwater Quality Management Program NPDES Permit Annual Report).
- #19 - Page 119 of 121, Section (4) False Statement does not go far enough in penalizing the culture of silence or conspiracy to keep fraudulent activities under wraps by the local governments.
- #20 - Page 121 of 121, the end of the statement states "on mm dd, 2009". This means that the Board's May 7, 2009 Ventura Countywide MS4 NPDES Permit hearing may be postponed. Otherwise, the date on Attachments "A" through "E", "G", and "I", and Tentative Figure - 1 would reflect the same Tentative Order, Attachments "F" and "H" date of February 24, 2009.
- #21 - Page 1 of 121, the Order No. 08-xxx is incorrect. Must be corrected to "09-xxxx".
- #22 - Cover (first) Page, the Order No. 09-xxx is missing an "x".
- #23 - Pages i to iv, the Order No. 09-xxx at the top of the pages is missing an "x".

- #24 - Pages 2 of 121 through 121 of 121, the Order No. 09-xxx at the top of the pages is missing an "x".

FACT SHEET/STAFF REPORT

- #1 - Cover, Page 1, the title "...WITHIN ENTURA COUNTY..." (letter subject *) is incorrect. Must be corrected to "VENTURA".
- #2 - Cover, Page 1, the title "...COUNTY FLOOD CONTROL DISTRICT..." is incorrect. Must be corrected to "...COUNTY WATERSHED PROTECTION DISTRICT".
- #3 - Page 2, "F. Reporting Program" is incorrect. Must be corrected to "I.".
- #4 - Page 2, page numbers 3 to 76 are missing:
- | | |
|--|------|
| PURPOSE | "3" |
| A. Impacts | "3" |
| INTRODUCTION | "6" |
| STATUTORY...PROGRAM | "9" |
| DISCUSSION...PROVISIONS | "15" |
| A. General Requirements | "15" |
| B. Watershed...Participation | "18" |
| C. Public Information...Program | "19" |
| D. Industrial/Commercial...Program | "22" |
| E. Planning and Land...Program | "36" |
| F. Development...Program | "44" |
| G. Public Agency...Program | "57" |
| H. Illicit Connections...Program | "69" |
| "I." Reporting Program | "72" |
| MONITORING PROGRAM | "73" |
| FINAL QUESTIONS AND CHANGES | "76" |
- #5 - Most of the pages have a lot of wasted empty space. Reducing this spacing will cut down on the number of total pages.
- #6 - Page 3, need(more) spacing between "A. Impacts" and the first sentence.
- #7 - Page 15, need less spacing between Section "V. DISCUSSION OF SPECIAL PROVISIONS" and "Non Storm Water Discharges".

- #8 - Page 20, first paragraph, last sentence, "because it allows for:" is separated from "program".
- #9 - Page 27, the footnote, bottom of page, is missing a "." after 1997.
- #10 - Page 29, the footnote is missing after the chart to explain the footnote for Rank(pollution potential)1.
- #11 - Page 31, second paragraph, last sentence, "BMPs;" is separated from "performance of an inspection", and "with the municipal ordinances; and" is separated from "assist the Regional Board".
- #12 - Page 32, sentence after bullet points, spell out "RB".
- #13 - Page 38, first paragraph, first sentence, the footnote "1" is not the correct font size.
- #14 - Page 38, first paragraph, since utility fees are a type of financing mechanism being suggested, then the Tentative Order must include a provision to rescind the fraudulent existing assessment fees, as well as AB 554(Karnette/Nava) must be amended to correct the deficiencies. Also, the Tentative Order's Section H. Signatory Requirements 1 must be changed to "shall be signed by the City Mayor, the County Board of Supervisors Chairperson, and the County Watershed Protection District Board of Supervisors Chairperson". Same comment for Page 51, section "(iii)"--an elected official(County, Cities, and District).
- #15 - Page 41, footnote "3", bottom of page, is not the correct font size.
- #16 - Page 48, bottom of page, spacing error between "4." and "Construction".

TENTATIVE FIGURE - 1 (Ventura County Land Jurisdictions Map)

- #1 - The Order No. 09-xxx at the top of the sideways page is missing an "x".

ATTACHMENT A (Watershed Management Areas)

- #1 - Pages A-1 to 4 of 4, the Order No. 09-xxx at the top of the sideways pages is missing an "x".

ATTACHMENT B (3 Watersheds Pollutants of Concern, 2003-2007)

- #1 - Pages B-1 to 3 of 3, the Order No. 09-xxx at the top of the pages is missing an "x".

ATTACHMENT C (MALs/Treatment BMP Performance Standards)

- #1 - Pages C-1 to 2 of 2, the Order No. 09-xxx at the top of the pages is missing an "x".

ATTACHMENT D (Critical Sources Categories)

- #1 - Pages D-1 to 2 of 2, the Order No. 09-xxx at the top of the pages is missing an "x".

ATTACHMENT E (Determination of Erosion Potential)

- #1 - Page E-1 of 1, the Order No. 09-xxx at the top of the page is missing an "x".

ATTACHMENT F (Monitoring Program)

- #1 - Page i, the subject heading "NPDES No. CAS004002 draft Tentative Order Ventura County Municipal Separate Storm Sewer System Permit Attachment F - Monitoring Program No. CI 7388", and Order No. 09-xxxx are missing at the top of the page.
- #2 - Pages F-1 to F-21, the Order No. 08-xxx at the top of the pages is incorrect. Must be corrected to "09-xxxx".

ATTACHMENT G (SWMP's Constituents with Associated MLs)

- #1 - Pages G-1 to 4 of 4, the Order No. 09-xxx at the top of the pages is missing an "x".

ATTACHMENT H (Reporting Program)

- #1 - Page i, there are two pages labeled "i". The first page is correct, but the second page must be corrected to "ii".
- #2 - Page H-10, there are two pages labeled "H-10". The first page is correct, but the second sideways page must be corrected to "H-11".
- #3 - Pages i and "ii", the Order No. 09-xxx at the top of the pages is missing an "x".
- #4 - Pages H-1 to H-13, "of 30" at the bottom of the pages is incorrect. Must be corrected to "of 31" to match pages H-14 to H-31 of 31.
- #5 - Pages H-1 to H-10 and H-14 to H-31, the Order No. 09-xxx at the top of the pages is missing an "x".
- #6 - Pages "H-11" to H-13, the Order No. 08-xxx at the top of the sideways pages is incorrect. Must be corrected to "09-xxxx".

ATTACHMENT I (SWMP's Major Outfall Stations)

- #1 - Page I-1 of 1, the Order No. 09-xxx at the top of the page is missing an "x".

TENTATIVE TRANSMITTAL LETTER (To Jeff Pratt, Director VCWPD)

- #1 - Page 2, the page number is missing.
- #2 - Page 2, top of page states Ventura Watershed Protection District instead of Ventura County Watershed Protection District; confusing since there is a City of Ventura.

PUBLIC NOTICE

- #1 - Page 3 of 5, under PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE section, a facsimile number was not included. Since the State Water Resources

Control Board's public notices include facsimile numbers so must the Regional Water Board's.

QUESTIONS

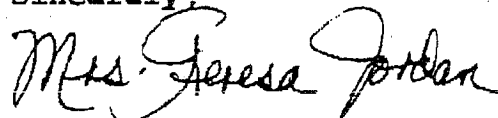
1. It is stated on Page 52 of 121 (Tentative Order) under Section (a), top of page, that "Participation in a Task Force: The Permittees shall participate with the Regional Water Board, and other public agencies on an enforcement task force such as the Storm Water Task Force, to communicate concerns regarding special cases of storm water violations by industrial and commercial facilities and to develop a coordinated approach to enforcement action." Will the meetings be open to the public?
2. It is stated on Page 91 of 121 (Tentative Order) under Section (c) (1) that "Conduct a source control study, develop and submit an Urban Water Quality Management Program (UWQMP) for copper, mercury, nickel, and selenium. Complete by March 26, 2009." Was the UWQMP completed by March 26, 2009?
3. It is stated on Page 120 of 121 (Tentative Order) under Section R. Termination of Board Order 1 that "Regional Water Board Order No. 00-108 is hereby terminated". Why are "Rescission" and "rescinded" being replaced?
4. Section IV. STATUTOR AND REGULATORY HISTORY OF THE STORMWATER PROGRAM, Pages 9 to 15 (Fact Sheet/Staff Report), the text is spaced differently from the rest of the document's pages. Is this correct, or a spacing error?
5. It is stated on Page 24 (Fact Sheet/Staff Report), first paragraph, first sentence, that "The types of activities proposed in the new Ventura MS4 permit are similar with the conditions currently found in the Los Angeles MS4 permit". I cannot find the document and page, but somewhere it is stated to the effect that the Ventura Countywide MS4 Permittees are a step behind the Los Angeles Countywide MS4 Permittees. Does the statement on Page 24 mean that the Ventura Countywide MS4

Permittees will be in step with the Los Angeles Countywide MS4 Permittees?

6. Page C-1 of 2 (Attachment) is titled "Municipal Action Levels". Page C-2 of 2 is titled "Treatment BMP Performance Standards". Is the title on Page C-2 of 2 correct or is this an error --the other Attachments pages titles are all consistent?

Ms. Woods, since the proposed Ventura Countywide MS4 NPDES Permit's documents' pages Order No. is written with capitalized X's and a lower case letter(x), which size is legally acceptable?

Sincerely,

A handwritten signature in cursive script that reads "Mrs. Teresa Jordan". The signature is written in dark ink and is positioned above the printed name.

Mrs. Teresa Jordan

